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**FACSIMILE TRANSMITTAL SHEET AND
CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8****RECEIVED
CENTRAL FAX CENTER****JUN 24 2004****TO: United States Patent and Trademark Office****Attn: Examiner Tuan N. Nguyen****Phone No. 703-306-9046****Fax No. 703-872-9306****OFFICIAL**

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on June 24, 2004, to the above-identified facsimile number.

Cynthia L. Clay (Signature)

FROM: Cynthia L. Clay - (Typed or printed name of person signing Certificate)**Fax No. 513-626-1355****Phone No. 513-626-0575****Application Information:****Inventor(s): Simon David Julian Hill****S.N.: 10/619,847****Filed: 07/15/2003****Conf. No.: 7606****Case: CM2496C****Listed below are the item(s) being submitted with this Certificate of Transmission:****

- 1) Transmittal for Response to Restriction Requirement;
- 2) Response to Restriction Requirement (2 pages);

Number of Pages Including this Page: 4

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE
RESPONSE/AMENDMENT**

Mail Stop Amendment
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is a RESPONSE TO RETRICTION REQUIREMENT for the patent application:

Application No. : 10/619,847
Applicant(s) : Simon David Julian Hill
Filed : 07/15/2003
Title : A Method of Dispensing Volatile and Soluble Substances and A
Device for Use Therein
TC/A.U. : 3751
Examiner : Tuan N. Nguyen
Conf. No. : 7606
Docket No. : CM2496C
Customer No. : 27752

1. ☒ No additional fees (claims fees or extension fees) are known to be required.
2. ☐ The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)	OTHER THAN A SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA*	RATE	FEE
TOTAL	* 33	MINUS	** 33	=	x \$18 =	\$
INDEP.	* 03	MINUS	*** 03	=	x \$86 =	\$
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ \$290 =	\$
					TOTAL	\$

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the highest number of total claims previously paid for is less than 20, write "20" in this space.

*** If the highest number of independent claims previously paid for is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

3. ☐ The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 16-2480. A duplicate copy of this sheet is attached.
 - a. ☒ Any patent application processing fees under 37 CFR §1.16.
 - b. ☒ Any patent application processing fees under 37 CFR §1.17.
4. The Director is hereby authorized to make any additional copies of this sheet needed to accomplish the purposes provided for herein and to charge any fee for such copies to Deposit Account No. 16-2480.

Cynthia L. Clay
Cynthia L. Clay
Attorney for Applicant
Registration No. 54,930
Tel. No. (513) 626-0575

June 24, 2004

Customer No. 27752

Appl. No. 10/619,847
Atty. Docket No. CM2496C
Amdt. Dated June 24, 2004
Reply to Office Action of 06/03/2004
Customer No. 27752

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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JUN 24 2004

OFFICIAL

RESPONSE TO RESTRICTION REQUIREMENT / ELECTION OF SPECIES

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY REMARKS

In response to the Office Action of June 3, 2004 consider the following remarks and reconsider the application.

Remarks begin on page 2 of this paper.

Appl. No. 10/619,847
Atty. Docket No. CM2496C
Amdt. Dated June 24, 2004
Reply to Office Action of 06/03/2004
Customer No. 27752

Election with Traverse under 37 CFR § 1.143

The Examiner has required the Applicants to restrict the claims of the above cationed application. Specifically, the Examiner alleges that the application contains claims directed to three patentably distinct inventions. The Examiner has designated Claims 1-10 as Invention I, Claims 11-25 as Invention II, and Claims 26-33 as Invention III.


Under MPEP § 803, election/restriction is proper when both of the following criteria are met: (1) The inventions must be independent or distinct as claimed; and (2) There must be a serious burden on the Examiner if the restriction is not required. The Examiner indicates that the class 422 and subclass 265 would be identical for both Invention I and II. Applicants respectfully submit that any prior art search set up for the particular Invention I will be coextensive with any search for the Invention II of the present invention. Applicants respectfully submit that examination of the present application, as a single unrestricted application, would not be unduly burdensome on the Examiner because a thorough art search of all of the identified classes and subclasses could easily be performed in a single application.

In view of the foregoing remarks, it is respectfully requested that the Examiner withdraw the requirement for restriction and allow Claims 1-33 to be prosecuted in the same application. Should the Examiner's restriction requirement not be withdrawn, Applicants hereby provisionally elect, with traverse until final disposition of the elected claims, Invention II which corresponds to current Claim 11-25.

Conclusion

Applicants respectfully request the Examiner to withdraw the restriction requirement and request reconsideration of this application and allowance of Claims 1-33.

Respectfully submitted,

By 
Cynthia L. Clay
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(513) 626-0575

June 24, 2004

Customer No. 27752

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